

Message Text

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60

ACTION EB-07

INFO OCT-01 EUR-12 EA-06 IO-10 ISO-00 AF-06 ARA-06 NEA-09

RSC-01 LOC-01 TRSY-02 L-02 FRB-03 OMB-01 TAR-01 SP-02

AGR-05 AID-05 CIAE-00 COME-00 INR-07 LAB-04 NSAE-00

OIC-02 SIL-01 STR-01 CIEP-01 CEA-01 /097 W

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R 221520Z JAN 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 120

INFO AMEMBASSY CANBERRA

AMEMBASSY VIENNA

AMEMBASSY COPENHAGEN

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS

AMEMBASSY PARIS

AMEMBASSY LUXEMBOURG

AMEMBASSY ATHENS

AMEMBASSY DUBLIN

AMEMBASSY ROME

AMEMBASSY TOKYO

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY LONDON

AMEMBASSY BERN

AMEMBASSY HELSINKI

AMEMBASSY THE HAGUE

AMEMBASSY WELLINGTON

AMEMBASSY LISBON

AMEMBASSY MADRID

AMEMBASSY STOCKHOLM

AMEMBASSY ANKARA

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E.O. 11652: N/A

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TAGS: EIND WIPO SZ UNCTAD

SUBJECT: UNCTAD: GROUP B DISCUSSIONS OF TRANSFER OF TECHNOLOGY
PROBLEMS

REF: STATE 5507; STATE 6596

1. THE UPHOT OF GROUP B DISCUSSIONS ON THE POSSIBILITY OF POSTPONING THE DEADLINE FOR THE REPLIES TO THE UNCTAD/WIPO STUDY ON THE ROLE OF PATENT SYSTEM IN THE TRANSFER OF TECHNOLOGY WAS THAT THE GROUP B COORDINATOR WILL MAKE ANOTHER APPROACH TO THE SECRETARIAT, THIS TIME AT THE LEVEL OF THE SECRETARY GENERAL, TO SEEK THE DESIRED DELAY. HOWEVER GROUP B NOT SANGUINE DEALY BEYOND MID-APRIL WILL BE POSSIBLE BECAUSE OF DIFFICULTIES THE SECRETARIAT WILL HAVE IN MEETING SEPTEMBER DATE FOR GROUP OF EXPERTS MEETING. FAILURE TO MEET APRIL DEADLINE MOST LIKELY WILL RESULT IN GROUP B MATERIAL NOT BEING INCORPORATED IN ADVANCE DOCUMENTATION DISTRIBUTED TO PARTICIPATING GOVERNMENTS.

2. SWISS DEL MADE INTERESTING OBSERVATION THAT GROUP B SHOULD NOT SUBMIT SINGLE REPLY FOR BOTH WIPO AND UNCTAD, BUT RATHER SHOULD DIFFERENTIATE IN REPLIES BETWEEN WHAT IT PERCEIVES TO BE UNCTAD'S AND WIPO'S DISTINCT ROLE ON THE QUESTION. THIS, HE SUGGESTED, COULD ALSO FACILITATE MEETING UNCTAD'S DEADLINE. ON THE OTHER HAND TO SUBMIT ONE REPLY BOTH ORGANIZATIONS MIGHT CONTRIBUTE TO UNCTAD'S EFFORTS TO INTRUDE IN WIPO'S FIELD OF COMPETENCE. WHILE PROPOSAL GENERALLY FAVORABLY RECEIVED, NO DEFINITE CONCLUSIONS REACHED. ONE QUESTION POSED WAS DEFINITION OF FIELDS OF COMPETENCE SINCE ONLY DEFINITION AVAILABLE WAS THAT CONTAINED PREAMBULAR PARAS 4 AND 5 OF UNCTAD DOCUMENT TD/B/AC.11/L.19 (I. E. WIPO--LEGAL AND TECHNICAL ASPECTS; UNCTAD--ECONOMIC, COMMERCIAL AND DEVELOPMENT. FYI: SHOULD DEPARTMENT WISH TO PURSUE THIS SUGGESTION, THE MISSION BELIEVES THE AD HOC COORDINATING MECHANISMS DEVELOPED BY PATENT OFFICIALS WOULD BE MORE EFFICIENT IN ACHIEVING A COORDINATED GROUP B POSITION THAN THE GENEVA GROUP B MECHANISM END FYI.
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3. SIZE OF OTHER EXPERT GROUP ON CODE OF CONDUCT ON TRANSFER OF TECHNOLOGY WILL MOST LIKELY BE 40 COUNTRIES. SINCE GROUP B INSISTING ON 13 TO 15 SEATS, AND GROUP D REQUESTING 5 SEATS, THE GROUP OF 77 WILL ASK FOR APPROXIMATELY 20 SEATS UNDER THE UNCTAD TRADITIONAL FORMULA FOR GEOGRAPHIC DISTRIBUTION. GROUP B'S EFFORTS TO OBTAIN AGREEMENT OF THE

OTHER GROUPS TO AN "OPEN-ENDED" FORMULA WERE UN-SUCCESSFUL. EXPANDED EXPERT GROUP WILL MOST PROBABLY RESULT IN LOWERING "EXPERT" CONTENT OF DISCUSSIONS AND MAXIMIZING LDC POLITICKING. ABRAMS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, MEETINGS, RESOLUTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA00343
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750024-0686
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750131/aaaabbba.tel
Line Count: 119
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 5507, 75 STATE 6596
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 02 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 APR 2003 by MartinML>; APPROVED <03 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNCTAD: GROUP B DISCUSSIONS OF TRANSFER OF TECHNOLOGY PROBLEMS
TAGS: EIND, SZ, WIPO, UNCTAD
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006